

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE
NO. 04-10190 DPW

GREGORY SMITH
Defendant

REPORT & ORDER ON
INITIAL STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On August 17, 2004, the parties appeared before this Court for an Initial Status Conference. With regard to the following issues, the parties have represented that:

1. There are no unusual or complex issues presented requiring an early joint conference of the District Judge or the Magistrate Judge with the attorneys;
2. There are no features of the case that deserve special attention or modification of the standard schedule;
3. Anticipated supplemental discovery will include a videotaped recording of the alleged gun transaction to be provided by the government to the defendant within one week of the initial status conference;
4. Discovery concerning any expert witnesses, pursuant to Fed. R. Crim. P. 16 (a)(1)(E) & 16(b)(1)(C) will be produced by the government twenty-one (21) days before trial and the defendant will provide expert discovery no later than ten (10) days before trial;
5. The applicable periods of excludable delay under the Speedy Trial Act include: July 13, 2004, through August 10, 2004 (28 days); August 17, 2004, through October 5, 2004 (49 days), for a total of seventy-seven (77) days as of October 5, 2004. The following time periods have not been excluded: June 30, 2004, through July 12, 2004 (13 days) and August 11, 2004, through August 16, 2004 (5 days), for a total of eighteen (18) days.
The government and defense will file a joint written motion for all applicable periods of excludable delay, prior to the final status conference. The total amount of time to proceed to trial is fifty-two (52) days as of August 17, 2004;
6. Trial is not anticipated. If a trial becomes necessary, then the estimated duration of a

trial is five (5) days;

7. There are no other matters.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12 (c) has been established. The defendant shall file any dispositive motions on or before September 28, 2004, with the government's response due on or before October 13, 2004. A **Final Status Conference** is scheduled at **3:00 p.m. on October 5, 2004**, in Courtroom 24, 7th floor.

Pursuant to LR 116.5 (C), parties shall confer and, not later than three (3) business days before the Final status Conference, prepare and file a joint Final Status Conference Memorandum.

HONORABLE JOYCE LONDON ALEXANDER
U.S. MAGISTRATE JUDGE

By the Court:

September 27, 2004
Date

/S/ Rex Brown
Courtroom Clerk
(617) 748-9238